

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES,

Plaintiff,

v.

Case No. 17-cr-20183
Hon. Mark A. Goldsmith

D-5 HAROLD NERO,

Defendant.

_____ /

ORDER DIRECTING GOVERNMENT TO FILE SUR-REPLY

Defendant Harold Nero has filed a motion to exclude evidence (Dkt. 218). The Government shall file a sur-reply to address the arguments put forth by Nero in his reply brief and accompanying statement (Dkt. 229) in support of his motion. The Government shall address, without limitation, the following issues:

1. Whether Room D-6 was searched during the January 12, 2017 raid and, if so, whether any items were seized from this room;
2. Whether Nero's statement establishes standing to challenge the search as to Room D-6;
3. Whether Nero's statement establishes standing to challenge searches beyond Room D-6; and
4. Whether the photographic evidence attached as Exhibit 1 to Nero's reply brief can be reconciled with the Government's assertion that the search warrant was executed no earlier than 6:00 a.m.

The sur-reply shall not exceed seven pages and shall be filed no later than November 16, 2018.

SO ORDERED.

Dated: November 8, 2018
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on November 8, 2018.

s/Karri Sandusky
Case Manager